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18810-82002  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Steven L. Wechsler, Anthony B. Nesburn, Guey-Chuen Perng, John S. Yu and Keith L. Black

Serial No. 10/046,491

Filed: October 29, 2001

For: A HERPES SIMPLEX VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR FOR SELECTIVELY INHIBITING MALIGNANT CELLS AND FOR EXPRESSING DESIRED TRAITS IN MALIGNANT AND NON-MALIGNANT MAMMALIAN CELLS

**THIRD REQUEST FOR CORRECTION OF FILING RECEIPT AND  
ACKNOWLEDGEMENT OF RESPONSE TO REQUEST FOR CORRECTED FILING  
RECEIPT**

Assistant Commissioner for Patents  
Office of Initial Patent Examinations  
Customer Service Center  
Washington, D. C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS	
WASHINGTON, D.C. 20231, ON <u>October 30, 2002</u>	
BY	
CHRISTINA TONG	
October 30, 2002	
(DATE OF SIGNATURE)	

Dear Sir or Madam:

Applicant acknowledges receipt of *Response to Request for Corrected Filing Receipt* dated July 9, 2002. It is understood that there are multiple dependant claims filed that are not reflected in the Filing Receipt.

However, Applicant respectfully requests that the following corrections be made to the Corrected Filing Receipt dated September 5, 2002 issued in connection with the above-referenced application, as reflected in the marked-up version of the Corrected Filing Receipt attached hereto as Exhibit A.

Applicant requests that the title of the invention be corrected, to conform to the enclosed copy of the first five pages of the Preliminary Amendment filed together with the divisional application (Exhibit B). That is, the title should be amended to read as follows:

A HERPES SIMPLEX VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR FOR SELECTIVELY INHIBITING MALIGNANT CELLS AND FOR EXPRESSING DESIRED TRAITS IN MALIGNANT AND NON-MALIGNANT MAMMALIAN CELLS

The Commissioner is hereby respectfully requested to credit overpayments or charge any fees required under 37 C.F.R. 1.16 or C.F.R. 1.17 to Deposit Account No. 50-1597.

Respectfully submitted,

By:

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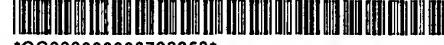


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/046,491	10/29/2001	1632	618	18810-82002	9	18	3

**CONFIRMATION NO. 6806**  
**CORRECTED FILING RECEIPT**



\*OC000000008732258\*

Date Mailed: 09/05/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Steven L. Wechsler, Westlake Village, CA;  
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Guey-Chuen Perng, Alhambra, CA;  
John S. Yu, Los Angeles, CA;  
Keith L. Black, Los Angeles, CA;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A DIV OF 09/299,817 04/26/1999

**Foreign Applications**

If Required, Foreign Filing License Granted 04/17/2002

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

A Herpes simplex virus type 1 ( HSV-1)-derived vector for selectively inhibiting malignant cells and

malignant

~~malignant non-malignant~~  
for expressing desired traits in ~~malignant~~ and ~~non-malignant~~ mammalian cells

Preliminary Class

424

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**NOT GRANTED**

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